

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	8:06CV758
v.)	
)	DEFAULT JUDGMENT AND
\$5,778.00 IN UNITED)	DECREE OF FORFEITURE
STATES CURRENCY,)	
)	
Defendant.)	

NOW ON THIS 19th day of August, 2008, this matter comes on before the Court upon Plaintiff's Motion for Default Judgment and Decree of Forfeiture. The Plaintiff is presently represented by Nancy A. Svoboda, Assistant United States Attorney. The Defendant is not present, neither personally nor through counsel. No Claimants are present, neither personally nor through counsel. Upon review of the record of this case, the Court, being duly advised in the premises, finds as follows:

1. A Complaint for Forfeiture was filed herein on December 15, 2006. A Warrant for Arrest *in Rem* was issued by this Court and was properly executed on the Defendant property by the United States Marshal.
2. Publication of the notice of this action and of the arrest of the Defendant property was duly made pursuant to Order of this Court dated December 18, 2008.
3. On March 11, 2007, Rose Merolla filed an Answer.
4. On July 14, 2008, this Court held a Status Conference with counsel for the United States and Ms. Merolla, appearing *pro se*. This Court directed Ms. Merolla was to have new

counsel file a notice of appearance on or before August 12, 2008. If that was not done, The Court further stated if no new counsel is hired, Ms. Merolla's Answer would be stricken.

5. As of August 19, 2008, no counsel has filed a notice of appearance on behalf of Ms. Merolla. The Answer filed by Ms. Merolla has been stricken and the Clerk has entered a default against Ms. Merolla.

6. The Plaintiff's Motion for Default Judgment and Decree of Forfeiture should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

A. The Motion for Default Judgment and Decree of Forfeiture [23] filed by Plaintiff is hereby sustained.

B. All right, title or interest in or to the Defendant property held by any person or entity is hereby forever barred and foreclosed.

C. The Defendant property be and the same hereby is forfeited to the United States of America.

D. The Defendant property shall be disposed of by the United States Marshal for the District of Nebraska in accordance with law.

DATED August 19, 2008.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**